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Promotion and protection of the rights of children

Armenia, Belarus, Cameroon, Cape Verde, Chile, Congo, Côte d'Ivoire, Ecuador, Ethiopia, Guatemala, Honduras, Kenya, Kyrgyzstan, Mongolia, Namibia,* Nigeria, Panama, Paraguay, Republic of Korea, Rwanda, Senegal, Sierra Leone, Timor-Leste and Uzbekistan: revised draft resolution

The girl child

The General Assembly,

Recalling its resolution 62/140 of 18 December 2007 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined in the Charter of the United Nations,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto,[3]

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities and its specific attention to the fact that women and girls with disabilities are subject to multiple discrimination, including in education and schooling,

* On behalf of the States Members of the United Nations that are members of the Southern African Development Community.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vol. 1249, No. 20378.

[3] Ibid., vols. 2171 and 2173, No. 27531, and ibid., vol. 2131, No. 20378.

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Reaffirming the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child made at the 2005 World Summit,[4]

Recalling the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[5]

Reaffirming the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[6] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[7] and the Political Declaration on HIV/AIDS of 2006,[8]

Reaffirming also all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration[9] and Platform for Action[10] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] the Programme of Action of the International Conference on Population and Development,[12] the Programme of Action of the World Summit for Social Development[13] and the declaration adopted by the Commission on the Status of Women at its forty-ninth session in 2005,[14] as well as the agreed conclusions of the fifty-first session of the Commission on the Status of Women, which considered "the elimination of all forms of discrimination and violence against the girl child" as its priority theme,

Looking forward to the fifteen-year review of the implementation of the Beijing Platform for Action and of the outcomes of the twenty-third special session of the General Assembly, entitled, "Women 2000: Gender equality, development and peace for the twenty-first century",[15] and emphasizing the importance of the sharing of experiences and good practices, with a view to overcoming remaining obstacles and new challenges, including those related to the Millennium Development Goals, which will take place during the upcoming fifty-fourth session of the Commission on the Status of Women in 2010,

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[4] See resolution 60/1.

[5] Resolution 1763 A (XVII).

[6] Resolution S-27/2, annex.

[7] Resolution S-26/2, annex.

[8] Resolution 60/262, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

[12] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[14] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A, see also Economic and Social Council decision 2005/232.

[15] Resolution S-23/2, annex, and resolution S-23/3, annex.

Reaffirming the Dakar Framework for Action, adopted at the World Education Forum in 2000,[16]

Welcoming the appointment of the Special Representative of the Secretary-General on violence against children, the creation of the new post of Special Representative of the Secretary-General on sexual violence in armed conflict and the launch of the Secretary-General's campaign "UNiTE to End Violence against Women, 2008-2015",

Recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children and that urgent national and international action is therefore required to eliminate it, and noting that the burden of the global financial and economic crisis, the energy crisis, the food crisis and the continuing food insecurity as a result of various factors is felt directly by households, especially those depending on income from the informal sector, particularly by women and girls,

Recognizing also that girl children are often at greater risk of being exposed to and encountering various forms of discrimination and violence, which continue to hinder efforts towards the achievement of the Millennium Development Goals, and reaffirming the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys, as an important strategy for advancing the rights of the girl child,

Recognizing further that progress has been made in the passage of national legislation that affirms the equality of girls and boys and that corresponding measures have not been taken to effectively implement such legislation, and further recognizing the continuing existence of discrimination against girls and women throughout the world and that addressing this situation will require additional efforts to strengthen policy implementation, including through international cooperation,

Recognizing that the empowerment of girls is key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and further recognizing that empowering girls requires the active support and engagement of their parents, legal guardians, families, boys and men, as well as the wider community,

Deeply concerned about all forms of violence against children, in particular about phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, child and forced marriage, rape and domestic violence, and, in addition, about the corresponding lack of accountability and impunity, which reflect discriminatory norms reinforcing the lower status of girls in society,

Deeply concerned also about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, and quality thereof, nutrition and physical and mental health care, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and

[16] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

violence, abuse, rape, incest, honour-related crimes and harmful traditional practices, such as female infanticide, child and forced marriages, prenatal sex selection and female genital mutilation,

Deeply concerned further that female genital mutilation violates and impairs the full enjoyment of the human rights of women and girls and that it is an irreparable and irreversible harmful practice that affects between 100 and 140 million women and girls alive today, and that each year over three million girls are at risk of undergoing the harmful procedure,

Deeply concerned that the goal set out in "A world fit for children" of ending female genital mutilation by 2010 will go unmet,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of sexual violence, abuse and exploitation and sexually transmitted infections and diseases, including HIV and AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, thus limiting their potential for full development,

Emphasizing that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically lowers their vulnerability to preventable diseases, in particular HIV infection and sexually transmitted diseases,

Concerned by the increasing number of child-headed households, in particular those headed by orphaned girls, including those orphaned by the HIV and AIDS pandemic,

Deeply concerned that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, causes high levels of obstetric fistula and maternal mortality and morbidity,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

Recognizing that early childbearing continues to be an impediment to the improvement of the educational and social status of girls in all parts of the world and that, overall, child and forced marriages and early motherhood can severely curtail their educational opportunities and are likely to have a long-term, adverse impact on their employment opportunities and on their, and their children's, quality of life,

Noting with concern that in some areas of the world men outnumber women as a result, in part of harmful attitudes and practices, such as female genital mutilation, son preference, which results in female infanticide and prenatal sex selection, early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse and discrimination against girls in food allocation and in other practices related to health and well-being, resulting in fewer girls than boys surviving into adulthood,

Taking note with appreciation of the adoption of the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which is the outcome document of the Third World Congress against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, in November 2008,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing, ratifying or acceding to the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women[2] and the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto[3] as a matter of priority;

2. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization to consider doing so;

3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[16] in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and calls for the implementation of and reaffirms the commitments contained in the Education for All Goals and the United Nations Millennium Development Goals, particularly those related to gender and education;

4. *Calls upon all States* to place enhanced emphasis on quality education for the girl child, including catch-up and literacy education for those who did not receive formal education, to promote access to skills and entrepreneurial training for young women and to tackle male and female stereotypes in order to ensure that young women entering the labour market have opportunities to obtain full and productive employment and decent work;

5. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

6. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action[10] with a life cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

7. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing

Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives, and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration[9] and Platform for Action;

8. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action, as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[17] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

9. *Urges* States to strengthen efforts to urgently eradicate all forms of discrimination against women and girls, and, where applicable, to remain dedicated to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol;[18]

10. *Also urges* States to fulfil the pledges they made at the Fourth World Conference on Women and the twenty-third special session of the General Assembly to modify or abolish remaining laws that discriminate against women and girls;

11. *Further urges* States to improve the situation of girl children living in poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is most threatening and harmful to the girl child, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

12. *Urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work, and equal payment and remuneration, are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and further urges States to develop gender-sensitive measures, including national action plans, where appropriate, to eliminate the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour;

13. *Calls upon* States to take all necessary measures to ensure the right of girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and to develop sustainable health systems and social services;

14. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, birth registration, health care, including sexual and reproductive health, vaccinations and protection from diseases

[17] Resolution S-23/3, annex.

[18] United Nations, *Treaty Series*, vol. 2131, No. 20378.

representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes, including those relating to children as well as those specific to the girl child;

15. *Calls upon* States to take appropriate measures to address the root factors of child and forced marriages, including by undertaking educational activities to raise awareness regarding the negative aspects of such practices, and to strengthen existing legislation and policies with a view to providing better promotion and protection of the rights of the child, in particular the girl child;

16. *Urges* all States to enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary and to develop and implement comprehensive policies, plans of action and programmes for the survival, protection, development and advancement of the girl child in order to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls, including the inclusion of such plans as an integral part of her total development process;

17. *Calls upon* States with the support of international organizations and civil society, including non-governmental organizations, to generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

18. *Also calls upon* States with the support of international organizations, civil society and non-governmental organizations, as appropriate, to develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives, and to place special focus on programmes to educate women and men, especially parents, about the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in child and forced marriages;

19. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour, and child and forced marriage, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

20. *Urges* States to complement punitive measures with educational activities designed to promote a process of consensus towards the abandonment of harmful practices such as female genital mutilation and to provide appropriate services for those affected by the practice;

21. *Calls upon* all States to enact and enforce necessary legislative or other measures in cooperation with relevant stakeholders to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of this material and that its creators, distributors and collectors are prosecuted as appropriate;

22. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, of the Secretary-General in his in-depth study on all forms of violence against women[19] and of the independent expert in his study on violence against children;[20]

23. *Also urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

24. *Further urges* States to involve girls, including girls with special needs, and their representative organizations, in decision-making processes, as appropriate, and to include them as full and active partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

25. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with HIV and AIDS, and children who are incarcerated who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

26. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, in particular girls, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

27. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict, and post-conflict situations, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted infections, including HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in the delivery of humanitarian

[19] A/61/122/Add.1 and Corr.1

[20] A/61/299 and A/62/209.

assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

28. *Deplores* all cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and urges States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

29. *Also deplores* all acts of sexual exploitation, abuse of and trafficking in women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[21]

30. *Calls upon* Member States to devise, enforce and strengthen effective child and youth-sensitive measures to combat, eliminate and prosecute all forms of trafficking in women and girls, including for sexual and economic exploitation as part of a comprehensive anti-trafficking strategy within wider efforts to eliminate all forms of violence against women and girls, including through taking effective measures against the criminalization of girls who are victims of exploitation and ensuring that girls who have been exploited receive access to the necessary psychosocial support;

31. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

32. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

33. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to

[21] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

34. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV and AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with or affected by HIV, including pregnant girls and young and adolescent mothers, as part of the global effort to scale up significantly towards achieving the goal of universal access to comprehensive prevention, treatment, care and support by 2010;

35. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

36. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food preferences, for an active and healthy life, as part of a comprehensive response to HIV and AIDS and other communicable diseases;

37. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, to enable young people, especially girls, to gain the knowledge, attitudes and skills that they need to prevent HIV infection and early pregnancy and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

38. *Stresses* the need to strengthen the commitment of States and the United Nations system in their responsibility to mainstream the promotion and protection of the rights of the child, in particular the girl child, in the development agenda at the national and international level;

39. *Urges* States, the international community, the relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation and developing and providing education programmes, such as the United Nations Population Fund-United Nations Children's Fund joint programme on accelerating the abandonment of female genital mutilation, and sensitization workshops on the dire consequences of this harmful practice for the health of the girl and to provide for those who perform the harmful procedure training programmes so that they may adopt an alternative profession;

40. *Welcomes* the commitment of ten United Nations agencies in their joint statement of 27 February 2008 to continue working towards the elimination of female genital mutilation, by, inter alia, providing technical and financial assistance, and stresses that a common coordinated approach that promotes positive social change at community, national and international levels could lead to female genital

mutilation being abandoned within a generation, with some of the main achievements obtained by 2015, in line with the Millennium Development Goals;

41. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocation of adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and post-natal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

42. *Calls upon* States and the international community to create an environment in which the well-being of the girl child is ensured, inter alia, by cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the Millennium Declaration, are realized within their time framework, and reaffirming that investments in children, particularly girls, and the realization of their rights, are among the most effective ways to eradicate poverty;

43. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including an emphasis on ending child and forced marriages, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.